

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED AMENDMENT 99-78 IND 1 (LAKE WORTH PARK OF COMMERCE, PARCEL 1), MODIFYING PAGE 78 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 6.24 ACRES GENERALLY LOCATED ON THE WEST SIDE OF BOUTWELL ROAD, APPROXIMATELY 200 FEET SOUTH OF 10TH AVENUE NORTH, FROM 2.31 ACRES HIGH RESIDENTIAL, 8 UNITS PER ACRE (HR-8) AND 3.93 ACRES HIGH RESIDENTIAL, 12 UNITS PER ACRE (HR-12) TO INDUSTRIAL (IND); AND 99-78 IND 2 (LAKE WORTH PARK OF COMMERCE, PARCEL 2), MODIFYING PAGE 78 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 1.58 ACRES GENERALLY LOCATED ON THE NORTHWEST CORNER OF ARCAND STREET AND LAKE WORTH ROAD, FROM HIGH RESIDENTIAL, 8 UNITS PER ACRE (HR-8) TO INDUSTRIAL (IND); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on June 11, 18 and 25, July 9, August 13, and November 19, 1999 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as

1 the governing body of Palm Beach County, conducted a public hearing
2 pursuant to Chapter 163, Part II, Florida Statutes, on July 28, August
3 17 and 24, 1999 to review the recommendations of the Local Planning
4 Agency, whereupon the Board of County Commissioners authorized
5 transmittal of proposed amendments to the Department of Community
6 Affairs for review and comment pursuant to Chapter 163, Part II,
7 Florida Statutes; and

8 WHEREAS, Palm Beach County received on November 16, 1999 the
9 Department of Community Affairs "Objections, Recommendations, and
10 Comments Report," dated November 12, 1999 which was the Department's
11 written review of the proposed Comprehensive Plan amendments; and

12 WHEREAS, the written comments submitted by the Department of
13 Community Affairs contained no objections to the amendments contained
14 in this ordinance;

15 WHEREAS, on December 13, 1999 the Palm Beach County Board of
16 County Commissioners held a public hearing to review the written
17 comments submitted by the Department of Community Affairs and to
18 consider adoption of the amendments; and

19 WHEREAS, the Palm Beach County Board of County Commissioners has
20 determined that the amendments comply with all requirements of the
21 Local Government Comprehensive Planning and Land Development
22 Regulations Act.

23 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
24 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

25 Part I. Amendments to the Future Land Use Atlas of the Land Use
26 Element of the 1989 Comprehensive Plan

27 The following amendments to the Land Use Element's Future Land Use
28 Atlas are hereby adopted and is attached to this Ordinance:

29 A. Future Land Use Atlas page 78 is amended as follows:

30 Application No.: 99-78 IND 1 (Lake Worth Park of Commerce,
31 Parcel 1)

1 Amendment: From High Residential, 8 units per acre (HR-
2 8) on 2.31 acres and High Residential, 12
3 units per acre (HR-12) on 3.93 acres to
4 Industrial (IND);

5 General Location: On the west side of Boutwell Road,
6 approximately 200 feet south of 10th Avenue
7 North;

8 Size: Approximately 6.24 total acres;

9 B. Future Land Use Atlas page 78 is amended as follows:

10 Application No.: 99-78 Ind 2 (Lake Worth Park of Commerce,
11 Parcel 2);

12 Amendment: From High Residential, 8 units per acre (HR-
13 8) to Industrial (IND);

14 General Location: On the northwest corner of Arcand Street and
15 Lake Worth Road;

16 Size: Approximately 1.58 total acres.

17 Part II. Repeal of Laws in Conflict

18 All local laws and ordinances applying to the unincorporated area
19 of Palm Beach County in conflict with any provision of this ordinance
20 are hereby repealed to the extent of such conflict.

21 Part III. Severability

22 If any section, paragraph, sentence, clause, phrase, or word of
23 this Ordinance is for any reason held by the Court to be
24 unconstitutional, inoperative or void, such holding shall not affect
25 the remainder of this Ordinance.

26 Part IV. Inclusion in the 1989 Comprehensive Plan

27 The provision of this Ordinance shall become and be made a part
28 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
29 Ordinance may be renumbered or relettered to accomplish such, and the
30 word "ordinance" may be changed to "section," "article," or any other
31 appropriate word.

1 Part V. Effective Date

2 The effective date of this plan amendment shall be the date a
3 final order is issued by the Department of Community Affairs or
4 Administration Commission finding the amendment in compliance in
5 accordance with Section 163.3184, Florida Statutes, whichever occurs
6 earlier. No development orders, development permits, or land uses
7 dependent on this amendment may be issued or commence before it has
8 become effective. If a final order of noncompliance is issued by the
9 Administration Commission, this amendment may nevertheless be made
10 effective by adoption of a resolution affirming its effective status,
11 a copy of which resolutions shall be sent to the Department of
12 Community Affairs, Bureau of Local Planning, 2740 Centerview Drive,
13 Tallahassee, Florida 32399-2100. **APPROVED AND ADOPTED** by the Board
14 of County Commissioners of Palm Beach County, on the 13 day of
15 December, 1999.

16 ATTEST:
17 DOROTHY H. WILKEN, Clerk

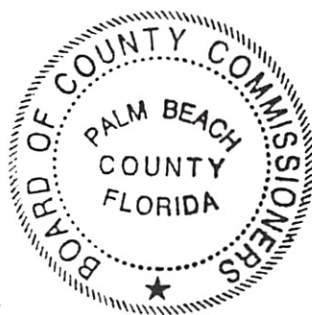
 PALM BEACH COUNTY, FLORIDA,
 BY ITS BOARD OF COUNTY COMMISSIONERS

18 By: *Wan Saver*
19 Deputy Clerk

 By: *Mande Ford Lee*
 Chair

20 APPROVED AS TO FORM AND
21 LEGAL SUFFICIENCY

22 *Mark H. Perry*
23 COUNTY ATTORNEY



24 Filed with the Department of State on the 23rd day
25 of December, 1999.

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EXHIBIT 1

A. Future Land Use Atlas page 78 is amended as follows:

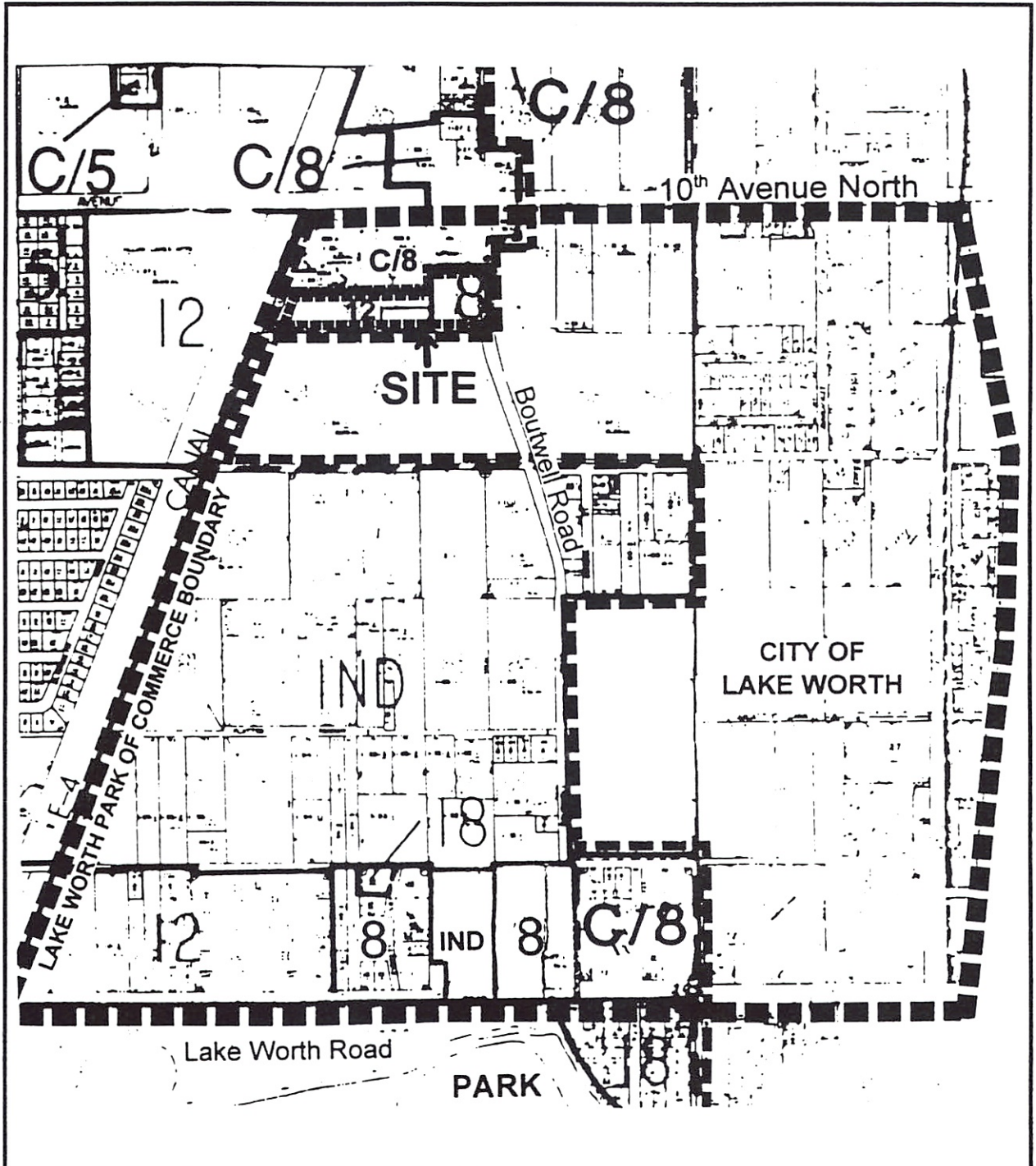
Amendment No.: 99-78 IND 1 (Lake Worth Park of Commerce, Parcel 1)

Amendment: From High Residential, 8 units per acre (HR-8) on 2.31 acres and High Residential, 12 units per acre (HR-12) on 3.93 acres to Industrial (IND)

Location: On the west side of Boutwell Road, approximately 200 feet south of 10th Avenue North

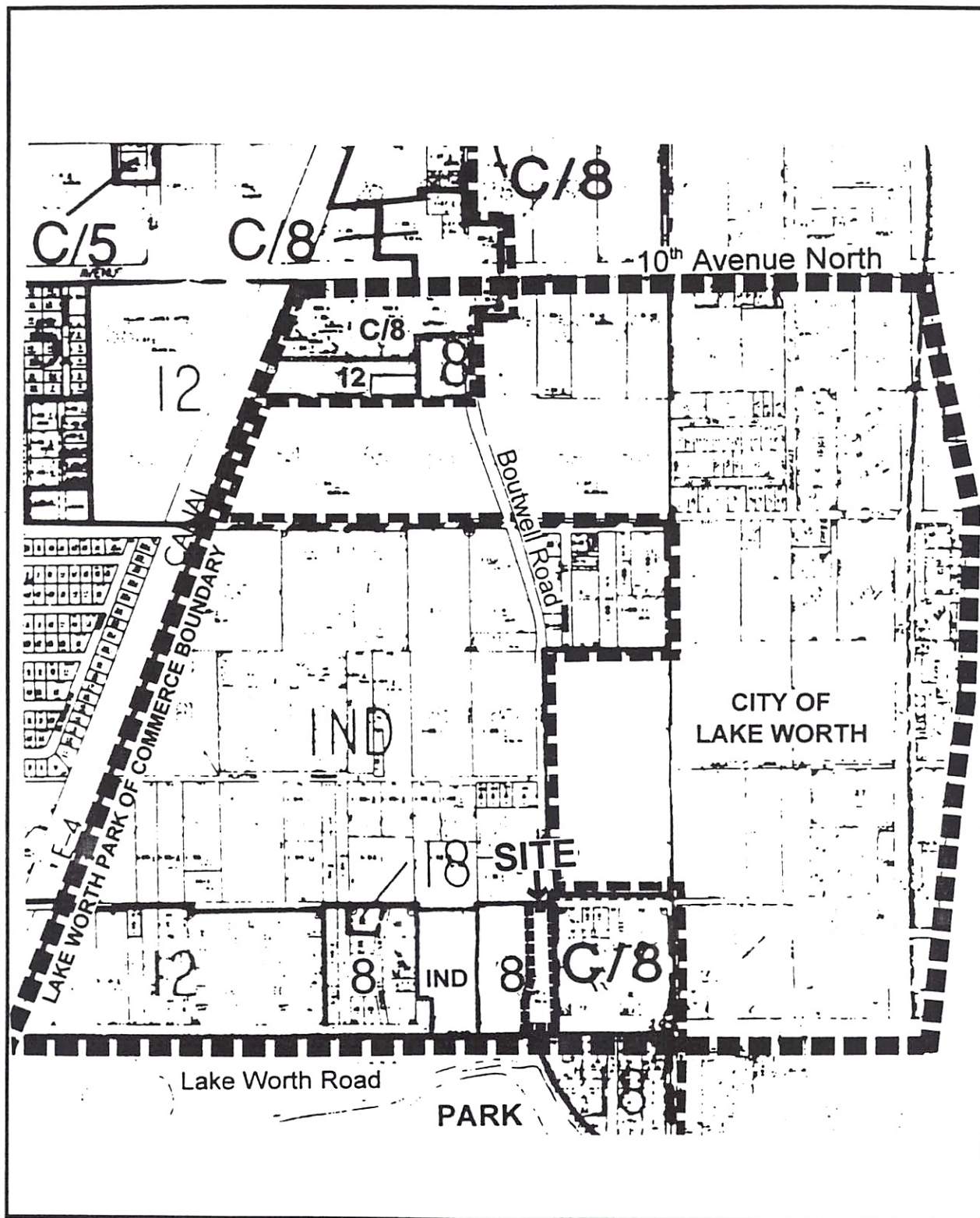
Size: Approximately 6.24 acres

Property No.: 00-43-44-20-01-034-0040



B. Future Land Use Atlas page 78 is amended as follows:

Amendment No.: 99-78 IND 2 (Lake Worth Park of Commerce, Parcel 2)
Amendment: From High Residential, 8 units per acre (HR-8) to Industrial (IND)
Location: On the northwest corner of Arcand Street and Lake Worth Road
Size: Approximately 1.58 acres
Property No.: 00-43-44-20-01-116-0020



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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 13, 1999
DATED at West Palm Beach, FL on 1/4/00
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.